

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

ENRIQUE ZAMARRIPA

Plaintiff,

v.

DERAY MCKESSON, et al

Defendants.

Civil Action No.: 3:16-cv-3109

PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT

Plaintiff Enrique Zamarripa ("Plaintiff"), respectfully moves this the Clerk and this Court for entry of a default as to Defendant Deray McKesson ("McKesson"), upon the Complaint filed and served upon McKesson, in accordance with the provisions of Federal Rule of Civil Procedure ("FRCP") 55(b)(2) and in support shows the Clerk and this Court the following:

1. On November 7, 2016 Plaintiff filed a Complaint in the U.S. District Court for the Northern District of Texas. A copy of the Complaint is attached hereto as Exhibit 1 as is incorporated herein by reference.

2. On November 18, 2016, a copy of this Complaint and a Summons in a Civil Action were served upon McKesson at 1104 Bryn Mawr Road, Baltimore, MD 21210. A copy of the Affidavit of Process Server is attached hereto as Exhibit 2 and is incorporated herein by reference.

3. Since being served on November 18, 2016, McKesson has failed to answer the Complaint within the twenty-one (21) day period and has therefore defaulted.

4. Pursuant to the provisions of FRCP 55(b)(2), the Clerk and this Court are empowered to enter a default against McKesson for relief sought by Plaintiff in the Complaint

Dated: July 27, 2018

Respectfully submitted,

/s/ Larry Klayman

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